

REMARKS

The Final Action of April 19, 2005, has been carefully studied. Upon entry of the amendment presented above, the claims in the application will be new claims 11-20, and Applicant believes that these claims should be patentable consistent with what is stated in the Final Action. Accordingly, favorable reconsideration, entry of the amendment presented above and allowance are respectfully requested.

Claims 9 and 10 have been allowed and are stated on page 3 of the Final Action to be "allowable over the prior art of record." Applicant accordingly understands that these claims are deemed by the PTO to define novel and unobvious subject matter under §§102 and 103. These claims have been rewritten in clean form as new claims 19 and 20.

The Examiner has finally rejected claims 1-6 and 8 under 35 U.S.C. §102(b) as being anticipated by Wu. Applicant respectfully traverses this rejection especially as applied to the new claims replacing the previously pending claims.

In setting forth this rejection, the Examiner posits that Wu discloses a light emitting diodes including a sapphire substrate 11, an n-type GaN structure 12, a light emitting structure 13, a p-type GaN structure 14, a transparent contact

15 with a multitude of hollow patterns 16 and a passivation layer 19.

However, as new independent claim 11 now more clearly recites, Applicant's claimed apparatus for a light emitting diode device includes a substrate 10 deposited on a bottom of the light emitting diode device; a semiconductor layer formed above the substrate including an n-type semiconductor layer 31, an active layer and a p-type semiconductor layer 33, wherein the active layer is formed between the n-type semiconductor layer and the p-type semiconductor layer; a patterned transparent conductive layer (otherwise called matrix-lines, described on page 6, lines 17-18 in the specification) 40 formed on the p-type semiconductor layer, wherein the patterned transparent conductive layer divided into a plurality of regions for providing uniformly spreading current on the light emitting diode device; and a light-transmission conductive layer 50 that is an oxide layer filled on the patterned transparent conductive layer so as to effectively increase transmission of the light emitting diode device.

The claimed invention is quite different from Wu in structure and function, as follows:

The Claimed Invention	Wu (US 6,445,007)
The patterned transparent conductive layer (or matrix-lines) 40 is divided into a plurality of regions.	The transparent contact 15 has a plurality of hollow patterns 16 formed thereon.
The light-transmission conductive layer 50 is an oxide layer for effectively increasing the transmission of the light emitting diode device.	The passivation layer 19 is an insulating material provided for greatly reducing the surface states, which is responsible for the leakage current (See Column 4, Lines 25-29).

In the claimed invention, the patterned transparent layer 40 set out in claim 17 is indicated to be formed by at least one metal selected from a group consisting of Ni, Au, Cr, Ir, Pt, Ag, Ru and Be. In comparison, transparent contact 15 of Wu, which the rejection states to be equivalent of transparent layer 40, is formed from either Nickel oxide/Au, MgO, ZnO or V₂O₅ (see column 4, lines 1-3 of Wu). Accordingly, Applicant respectfully submits that the patterned transparent layer 40 of the claimed invention is entirely different from transparent contact 15 of Wu and therefore the result produced by transparent layer 40 in combination with the other claimed features is unique (and unobvious) in comparison to that of the light emitting diode of Wu.

Applicant further notes that the light transmission conductive layer 50 as specifically claimed in claim 18 is different from the passivation layer 19 of Wu, as the claimed oxide layer is made from any one of an entirely different group of oxides than that of Wu. Accordingly, the claimed diode which involves a different oxide from that of Wu functions in a different manner than that of Wu.

Accordingly, Wu does not anticipate any of Applicant's claims, and the rejection should be withdrawn. Such is respectfully requested.

In addition and as indicated above, the Examiner kindly noted that claim 9 is allowed due to the feature, "wherein an occupied area of the patterned transparent conductive layer (or matrix-lines) follows a formula, $a < (1 - T_T/T_I)A \dots$ "; this feature has now been added to claim 1 to provide new claim 11. Therefore, the applicant also believes that claim 11 and the claims which depend therefrom should also be in an allowable state.

No rejections have been imposed under §103 based on either Wu or any other citation. Applicant agrees that the claims would not have been obvious from any known prior art, and this is believed to be consistent with the allowance of claims 9 and 10, now claims 19 and 20.

Appln. No. 10/695,807
Amtd. dated October 19, 2005
Reply to Office Action dated April 19, 2005

Applicants believe that all issues raised in the Final Action have been addressed above in a manner which should lead to allowance of the present application. Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,
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